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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/594,201

08/13/2007

Philip Vafladis

MAD-101/PCT/US

7050

7590

10/13/2011

Lumen IPS  
2345 Yale Street, 2nd Floor  
Palo Alto, CA 94306

EXAMINER

PHILIPPE, GIMS S

ART UNIT

PAPER NUMBER

2485

MAIL DATE

DELIVERY MODE

10/13/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/594,201	<b>Applicant(s)</b> VAFLADIS, PHILIP	
	<b>Examiner</b> GIMS PHILIPPE	<b>Art Unit</b> 2485	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 1-19 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 1-19 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/11/06</u> .  | 6) <input type="checkbox"/> Other: ____.                          |

### **DETAILED ACTION**

This is a first office action in response to application no. 10/594,201 filed on August 13, 2007 in which claims 1-19 are presented for examination.

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 12 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Regarding claims 12 and 19, the phrase "a suitable character" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "a suitable character"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Furuya (US Patent no. 5,708,528).

Regarding claims 1-4, Furuya discloses an arrangement for visual presentation including at least two enclosures modules adapted for housing one or more visual components, the modules adapted for mounting on a mounting surface adjacent one another, wherein the front of each modules when mounted define a facing plane and the adjacent sides of respective modules are shaped to match each other's facing planes and to provide a channel behind the facing plane (See figs. 15, 48 and 53, and col. 13, lines 21-34 and col. 19, lines 15-19).

As per claim 5, Furuya further provides an arrangement wherein the facing plane lies substantially flush with the planar visible surface (See Fig. 31).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furuya (US Patent no. 5708528) in view of Chen et al. (US Patent no. 6966617).

Regarding claims 6-19, most of the limitations of these claims have been noted in the rejection of claims 1-5.

It is noted that Furuya is silent about providing housing for audio component, sound absorber, sound diffuser while the facing plane is covered with a fabric.

However, Chen provides an arrangement with speaker configuration with housing for audio component, sound absorber, sound diffuser while the facing plane is covered with a fabric (See Chen figs. 5A-5B with housing 80 in fig. 5A and cloth/fabric 700 and col. 3, lines 6-31).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Furuya's arrangement by incorporating Chen's housing and cover as seen in figs. 5A-5B. The motivation for performing such a modification in Furuya is to reduce the cost burden and also to provide proper adjustment with a frame with structure and protection (See Chen col. 1, lines 29-31 and 38-40).

The applicant should note that speaker 70 contains a sound driver.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Sumitani (US Patent no. 5307418) teaches center channel speaker having multiple interconnected backload amplifying chambers for surround sound stereo audio systems.

Negishi et al. (US Patent Application Publication no. 2004/0062404) teaches speaker system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIMS PHILIPPE whose telephone number is (571)272-7336. The examiner can normally be reached on M-F (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gims S Philippe  
Primary Examiner  
Art Unit 2485

/G. P./  
/Gims S Philippe/  
Primary Examiner, Art Unit 2485